

# SoCal IP

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January 21, 2015

Honorable Richard J. Sullivan  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**By Email and CM/ECF**

Re: Penshurst Trading Inc. d/b/a Juliska v. Zodax L.P.  
No. 1:14-cv-02710-RJS

Subject: Request for Extension of Time for Close of Discovery and Submission of Expert Report

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Dear Judge Sullivan:

We are counsel for defendant Zodax L.P.

The parties jointly request the following changes to the schedule in the case Management Plan and Scheduling Order (Dkt. 42) as modified by Your Honor's November 26, 2014, order extending the close of discovery (Dkt. 57):

| Matter                     | Current Deadline  | Proposed Deadline |
|----------------------------|-------------------|-------------------|
| Close of Discovery         | February 6, 2015  | February 11, 2015 |
| Plaintiff's Expert Reports | January 23, 2015  | February 11, 2015 |
| Defendant's Expert Reports | February 13, 2015 | February 27, 2015 |

These extensions would affect no other deadlines. The next scheduled date remains a post-discovery conference on March 25, 2015, at 10 a.m. (The scheduling order has a 2014 date, which we assume is in error).

Plaintiff Juliska needs the short extension on the close of discovery because Zodax noticed the deposition of one of its officers for February 3, but she is unavailable the week of February 2 due to a pre-existing business commitment. Zodax decided to take her deposition based on documents Juliska produced on January 16. She will be available during the week of February 9.

Juliska requests the extension for its expert reports to allow any experts to review documents that Zodax will produce on February 6, the current close of discovery. The extension until February 27 for defendant's expert reports maintains the two weeks between the expert reports in the original scheduling order.

Sincerely,

SoCal IP Law Group LLP

[/Michael Harris/](#)

Michael D. Harris

cc: All Counsel of Record (*via ECF*)